DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H23-0177-22**	**Applicant:**	**Mr K Shepperson**
Proposal:	Erection of 3 dwellings - approved under H23-0224-21. Modification to Condition 1 to allow amendments to previously approved plans.		
Location:	Washway Road Saracens Head Spalding		
Terminal Date:	10th May 2022		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
04	Approach to Flood Risk
30	Pollution
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

Section 12. Achieving well-designed places.
Section 14. Meeting the challenge of climate change, flooding and coastal change.
Section 15. Conserving and enhancing the natural environment.

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	1	0	0
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

Proposal

The site has outline planning permission and reserved matters approval for 3 no. houses (see

planning history below). This application is to amend the house on plot 3, including a revision of the materials and alteration of the size of a rear snug window.

It should be noted that the neighbouring site to the west has permission for the erection of 3 bungalows (ref. H23-0980-17 and H23-1087-20).

Site Description

The application site (approx. 0.15 ha) is currently agricultural land located on the southern side of Washway Road on the eastern fringe of Saracens Head. Three building plots are situated to the west and Saracen House beyond. The latter has a closeboarded fence and trees on the common boundary. Residential development is situated opposite. The A17 is located approximately 350 metres to the south/south-west.

Planning History

H23-0231-18 - Outline - Residential development for 3 no. dwellings - Granted 1 May 2018

H23-0224-21 - RM - Erection of 3 dwellings - outline approval H23-0231-18 - Approved 28 April 2021.

H23-1101-21 - S73A - Residential development for 3 dwellings - approved under H23-0231-18. Removal of Condition 6 relating to footway & disposal of surface water run-off - Approved 17 December 2021.

H23-0149-22 - S73A - Residential Development for 3 dwellings - approved under H23-0231-18. Modification to Conditions 7, 8 & 9 relating to archaeology - Approved 22 April 2022.

Consultation Responses

Whaplode Parish Council

Supported.

Planning Considerations

The principle of 3 houses on the site has already been established. This application is for variations to plot 3 as indicated above.

The proposed house would be constructed in Ivanhoe Westminster Cottage Blend facing bricks with a smooth off white render on the front middle recessed section of the front elevation. The roof would be Sandtoft Calderdale Slate, similar to plot 2.

Whilst the proposed houses on the three plots are bespoke in terms of design/appearance there is an eclectic mix of dwelling types along this stretch of Washway Road. They are of varying scale, design and appearance and include both houses and bungalows. Bungalows have recently been approved on plots to the west to be constructed in red multi stock brick, plus green cedral weatherboard/cladding, with a slate grey flat tiled roof. Houses are situated opposite, except for a single bungalow on the eastern fringe. Taking into consideration the above, it is considered that the proposal would not materially harm the character/appearance of the street scene or the setting of Pipwell Manor (grade II listed) further to the west. The proposal therefore accords with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 in this respect.

In terms of amenity, bungalows have recently been permitted to the west. Saracen House is situated beyond, which is some 14 metres from its eastern boundary. Dwellings are located opposite. The only significant alteration to the fenestration relates to the snug window on the rear elevation, which is now significantly larger. However, it faces the rear garden. It is considered that the proposal would not materially harm the amenity of neighbouring residents in terms of overlooking, lack of privacy, overshadowing, overbearing effect, noise and disturbance, etc. The proposal accords with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 on amenity grounds, subject to the aforementioned.

Planning Balance

The amended proposal satisfactory complies with the reserved matters and is in accordance with the South East Lincolnshire Local Plan, 2019. There are no significant factors in this case that indicate against the proposal and outweigh factors in favour of the proposal and the policies referred to above.

Conclusion

The planning balance lies in favour of the proposal. It is therefore recommended that the application be approved under delegated powers.

Additional Considerations

Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:
A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).
C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered, and may be balanced against other relevant factors.

It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

Human Rights

In making a decision, the Authority should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as South Holland District Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.